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CENTRAL INTELLIGENCE AGENCY



Director of Congressional Affairs


10 May 1988

Judge Webster:

After your last meeting with Chairman Stokes and Mr. Hyde, Staff Director Tom Latimer informed me that Chairman Stokes had felt unprepared to discuss certain items. For example, he heard your description of the leave-sharing plan between spouses and gave his approval, apparently without remembering that he had been informed sometime earlier that Committee staff had some reservations about the proposal. The Chairman will not reopen that issue (and we should not, either!) but he has asked to be prepared better for upcoming sessions.

As a result, I have informed Tom Latimer and Tom Smeeton in very general terms of the several issues that you may choose to raise for discussion with Chairman Stokes and Mr. Hyde. I have specifically not committed you to a position on any of them.

I do not know what, if any, staff work has been done, but if Chairman Stokes and Mr. Hyde seem unusually well prepared, the staff exchange may be the reason. I will be interested in your reaction as to whether this month's meeting is a more fruitful one.


John L. Helgerson

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Inspector General Provisions in
Senate Authorization Bill

The Senate Intelligence Committee apparently has decided to include a number of Inspector General related provisions in its intelligence authorization bill. The language of the provision is not yet finalized, but they may require the Director to provide the following:

- A semi-annual report on the Inspector General's activities to the Oversight Committees
- Notify the Committees of instances when the Director directs the Inspector General not to investigate a particular matter
- A requirement that the Committees be informed of any occasion when the Inspector General and the Director have a serious and irreconcilable conflict over the conduct or resolution of an investigation

While these provisions may appear to be modest in substance, I believe that there is a more fundamental and overriding issue involved here. As the Director of Central Intelligence, I am and must be the sole individual held accountable to Congress for all CIA activities. This is the way the system has to work. I must take strong exception to any legislation, however seemingly limited in scope, which tends to erode that principle and mandates separate congressional reporting responsibilities and other requirements on subordinate CIA officials. Accordingly, if these Inspector General provisions do become part of the Senate intelligence authorization bill, I ask for your support in deleting them in the House/Senate Conference.

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UNCLASSIFIED**House Judiciary Secrecy Agreement Issue**

Chairman Stokes, I believe you are aware of an issue that has arisen between the Agency and the House Judiciary Committee over the Committee's refusal to have Committee staff sign CIA secrecy agreements. I would like to provide you with some background and then ask for your advice and support.

Since the mid-1970's, virtually all Congressional Committee staff members have signed Director of Central Intelligence (DCI) Sensitive Compartmented Information (SCI) non-disclosure agreements as a condition of being given access to SCI information. These include the staff of both foreign affairs committees, both armed services committees, and both defense appropriations subcommittees, among others.

The staff of the intelligence committees, as you know, sign agreements with the committee. This exception dates back to the 1970's and is due to the special and unique nature of the committees and because of the master agreement between the DCI and the committees which underlies the individual staff and committee agreements.

The House Judiciary staff is now refusing to sign the DCI agreement. Staff instead would sign an agreement between the committee and the staff.

Our primary concern is that acceding to Judiciary will open a Pandora's box of separate agreements with the various committees, each with differing terms and obligations. The intelligence committees' special status and our shared concerns about security are both at risk in a situation where countless committees make and enforce (or do not enforce) their own non-disclosure agreements. Having too many people in charge is a sure prescription for loss of any effective controls.

I have had an exchange of correspondence with Chairman Rodino in which I set forth our reasoning. We understand the staff may now press Rodino to raise the matter with the Speaker.

I am convinced that our position is fully supportable, both as a matter of law and as a matter of policy. Nonetheless, we do not want a fight with the Speaker or Judiciary on this issue. I would be grateful for any guidance that you could provide as to the best way to deal with this matter.

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